

Bill No. SB 2224

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Proposed Committee Substitute by the Committee on Health Care

1 A bill to be entitled

2 An act relating to clandestine laboratory

3 contamination; amending s. 893.02, F.S.;

4 providing definitions; creating s. 893.121,

5 F.S.; providing for quarantine of any

6 residential property where illegal clandestine

7 laboratory activities occurred; providing for

8 establishment of a uniform notice and a uniform

9 letter of notification; providing for posting

10 of specified notice at the site of a

11 quarantine; providing requirements for the

12 sending of a specified letter of notification

13 to a residential property owner or manager;

14 providing for petitions by certain persons in

15 circuit court to lift such quarantines under

16 certain conditions; prohibiting specified

17 violations relating to such quarantines;

18 creating s. 893.122, F.S.; permitting

19 demolition of quarantined residential property

20 under certain conditions; providing immunity

21 from health-based civil actions for residential

22 property owners who have met specified

23 clandestine laboratory decontamination

24 standards as evidenced by specified

25 documentation; providing an exception to such

26 immunity for persons convicted of manufacturing

27 controlled substances at the site; creating s.

28 893.123, F.S.; providing for rulemaking to

29 adopt clandestine laboratory decontamination

30 standards; providing for certificates of

31 fitness to indicate that decontamination has

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1 been completed; providing requirements for the
2 lifting of a quarantine upon demolition of the
3 property; creating s. 893.124, F.S.; requiring
4 the Department of Health to specify
5 requirements for persons authorized to perform
6 decontamination and contamination assessments;
7 requiring the department to compile and
8 maintain lists of decontamination and
9 contamination assessment specialists; providing
10 responsibilities for decontamination
11 specialists; permitting decontamination and
12 contamination assessment specialists to request
13 specified documents; providing for the issuance
14 of certificates of fitness by contamination
15 assessment specialists; amending ss. 465.016,
16 465.023, 856.015, 893.135, 944.47, 951.22, and
17 985.4046, F.S.; conforming cross-references;
18 providing an effective date.

19

20 WHEREAS, methamphetamine use and production is
21 increasing throughout the state, and

22 WHEREAS, in places where methamphetamine production has
23 occurred, significant levels of chemical contamination may be
24 found, especially in residential properties when the
25 contamination is not decontaminated, and

26 WHEREAS, children are susceptible to environmental
27 toxicants via the skin, and the ingestion of residual
28 methamphetamine is considered to be a result of hand-to-mouth
29 activities, and

30 WHEREAS, studies on methamphetamine use during
31 pregnancy showed an increased incidence of intrauterine growth

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retardation, prematurity, and perinatal complications, and

WHEREAS, once clandestine laboratories have been seized, the public may continue to be harmed by the illegal dumping of chemical byproducts and the chemical residues that remain on the residential property, and

WHEREAS, there are no statewide standards for determining when a site of a seized clandestine laboratory has been successfully decontaminated, and

WHEREAS, the Legislature finds that this act is necessary for the immediate preservation of the public health, safety, and welfare and fulfills an important state interest, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 893.02, Florida Statutes, is amended to read:

893.02 Definitions.--The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(1) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a person or animal.

(2) "Analog" or "chemical analog" means a structural derivative of a parent compound that is a controlled substance.

(3) "Cannabis" means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or

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preparation of the plant or its seeds or resin.

(4) "Clandestine laboratory" means any location and proximate areas set aside or used that are likely to be contaminated as a result of manufacturing, processing, cooking, disposing, or storing, either temporarily or permanently, any substances in violation of this chapter, except as such activities are authorized in chapter 499.

(5) "Contaminated" or "contamination" means containing levels of chemicals at or above the levels defined by the department pursuant to s. 893.123(1) as a result of clandestine laboratory activity.

(6) "Contamination assessment specialist" or "contamination assessor" means a person responsible for assessing the extent of contamination and decontamination by determining the indoor air quality in a residential property based on the standards defined by the department. Upon the conclusion of decontamination, a residential property must successfully test less than or equal to the values defined by the department. The person must have specialized training that provides him or her with the knowledge, skills, and abilities to use quantitative measurement techniques in collecting and assessing specified contamination levels that have the ability to impair human health and well-being.

(7)(4) "Controlled substance" means any substance named or described in Schedules I-V of s. 893.03. Laws controlling the manufacture, distribution, preparation, dispensing, or administration of such substances are drug abuse laws.

(8) "Decontamination" means the process of reducing the levels of contaminants to the levels defined by the department pursuant to s. 893.123(1) that allow human

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reoccupancy using currently available methods and processes.

(9) "Decontamination specialist" means a person responsible for the cleanup, treatment, repair, removal, and decontamination of contaminated materials located in a residential property where clandestine laboratory activities occurred. The person must have the knowledge, skills, and ability to prescribe methods to eliminate, control, or reduce contamination; and must have been trained in the removal, storage, transport, and disposal of hazardous chemicals or chemical residues commonly associated with clandestine laboratory activities.

(10)(5) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(11)(9) "Department" means the Department of Health.

(12)(6) "Dispense" means the transfer of possession of one or more doses of a medicinal drug by a pharmacist or other licensed practitioner to the ultimate consumer thereof or to one who represents that it is his or her intention not to consume or use the same but to transfer the same to the ultimate consumer or user for consumption by the ultimate consumer or user.

(13)(7) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

(14)(8) "Distributor" means a person who distributes.

(15)(10) "Hospital" means an institution for the care and treatment of the sick and injured, licensed pursuant to the provisions of chapter 395 or owned or operated by the state or Federal Government.

(16)(11) "Laboratory" means a laboratory approved by

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1 the Drug Enforcement Administration as proper to be entrusted
2 with the custody of controlled substances for scientific,
3 medical, or instructional purposes or to aid law enforcement
4 officers and prosecuting attorneys in the enforcement of this
5 chapter.

6 ~~(17)~~~~(12)~~ "Listed chemical" means any precursor
7 chemical or essential chemical named or described in s.
8 893.033.

9 ~~(18)~~~~(13)~~(a) "Manufacture" means the production,
10 preparation, propagation, compounding, cultivating, growing,
11 conversion, or processing of a controlled substance, either
12 directly or indirectly, by extraction from substances of
13 natural origin, or independently by means of chemical
14 synthesis, or by a combination of extraction and chemical
15 synthesis, and includes any packaging of the substance or
16 labeling or relabeling of its container, except that this term
17 does not include the preparation, compounding, packaging, or
18 labeling of a controlled substance by:

19 1. A practitioner or pharmacist as an incident to his
20 or her administering or delivering of a controlled substance
21 in the course of his or her professional practice.

22 2. A practitioner, or by his or her authorized agent
23 under the practitioner's supervision, for the purpose of, or
24 as an incident to, research, teaching, or chemical analysis,
25 and not for sale.

26 (b) "Manufacturer" means and includes every person who
27 prepares, derives, produces, compounds, or repackages any drug
28 as defined by the Florida Drug and Cosmetic Act. However, this
29 definition does not apply to manufacturers of patent or
30 proprietary preparations as defined in the Florida Pharmacy
31 Act. Pharmacies, and pharmacists employed thereby, are

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1 specifically excluded from this definition.

2 ~~(19)(14)~~ "Mixture" means any physical combination of
3 two or more substances.

4 ~~(20)(15)~~ "Patient" means an individual to whom a
5 controlled substance is lawfully dispensed or administered
6 pursuant to the provisions of this chapter.

7 ~~(21)(16)~~ "Pharmacist" means a person who is licensed
8 pursuant to chapter 465 to practice the profession of pharmacy
9 in this state.

10 ~~(22)(17)~~ "Possession" includes temporary possession
11 for the purpose of verification or testing, irrespective of
12 dominion or control.

13 ~~(23)(18)~~ "Potential for abuse" means that a substance
14 has properties of a central nervous system stimulant or
15 depressant or an hallucinogen that create a substantial
16 likelihood of its being:

17 (a) Used in amounts that create a hazard to the user's
18 health or the safety of the community;

19 (b) Diverted from legal channels and distributed
20 through illegal channels; or

21 (c) Taken on the user's own initiative rather than on
22 the basis of professional medical advice.

23
24 Proof of potential for abuse can be based upon a showing that
25 these activities are already taking place, or upon a showing
26 that the nature and properties of the substance make it
27 reasonable to assume that there is a substantial likelihood
28 that such activities will take place, in other than isolated
29 or occasional instances.

30 ~~(24)(19)~~ "Practitioner" means a physician licensed
31 pursuant to chapter 458, a dentist licensed pursuant to

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chapter 466, a veterinarian licensed pursuant to chapter 474,
an osteopathic physician licensed pursuant to chapter 459, a
naturopath licensed pursuant to chapter 462, or a podiatric
physician licensed pursuant to chapter 461, provided such
practitioner holds a valid federal controlled substance
registry number.

~~(25)~~~~(20)~~ "Prescription" means and includes an order
for drugs or medicinal supplies written, signed, or
transmitted by word of mouth, telephone, telegram, or other
means of communication by a duly licensed practitioner
licensed by the laws of the state to prescribe such drugs or
medicinal supplies, issued in good faith and in the course of
professional practice, intended to be filled, compounded, or
dispensed by another person licensed by the laws of the state
to do so, and meeting the requirements of s. 893.04. The term
also includes an order for drugs or medicinal supplies so
transmitted or written by a physician, dentist, veterinarian,
or other practitioner licensed to practice in a state other
than Florida, but only if the pharmacist called upon to fill
such an order determines, in the exercise of his or her
professional judgment, that the order was issued pursuant to a
valid patient-physician relationship, that it is authentic,
and that the drugs or medicinal supplies so ordered are
considered necessary for the continuation of treatment of a
chronic or recurrent illness. However, if the physician
writing the prescription is not known to the pharmacist, the
pharmacist shall obtain proof to a reasonable certainty of the
validity of said prescription. A prescription order for a
controlled substance shall not be issued on the same
prescription blank with another prescription order for a
controlled substance which is named or described in a

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different schedule, nor shall any prescription order for a controlled substance be issued on the same prescription blank as a prescription order for a medicinal drug, as defined in s. 465.031(5), which does not fall within the definition of a controlled substance as defined in this act.

(26) "Residential property" means a dwelling unit used, or intended for use, by an individual or individuals as a permanent residence. The term includes improved real property of between one and four dwellings; a condominium unit, as defined in s. 718.103(27); a cooperative unit, as defined in s. 719.103(24); or a mobile home or manufactured home, as defined in s. 320.01(2). The term does not include a hotel, motel, campground, marina, or timeshare unit.

(27)(21) "Wholesaler" means any person who acts as a jobber, wholesale merchant, or broker, or an agent thereof, who sells or distributes for resale any drug as defined by the Florida Drug and Cosmetic Act. However, this definition does not apply to persons who sell only patent or proprietary preparations as defined in the Florida Pharmacy Act. Pharmacies, and pharmacists employed thereby, are specifically excluded from this definition.

Section 2. Section 893.121, Florida Statutes, is created to read:

893.121 Quarantine of a clandestine laboratory.--

(1) The purpose of the quarantine provided for in this section is to prevent exposure of any person to the hazards associated with clandestine laboratory activities and provide protection from unsafe conditions that pose a threat to the public health, safety, and welfare. The department has the authority to quarantine residential property under s. 381.0011.

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1 (2) Whenever a sheriff, police officer, or other law
2 enforcement entity secures evidence from a residential
3 property in which illegal clandestine laboratory activities
4 occurred, the department must quarantine the property. The
5 local law enforcement entity securing evidence shall enforce a
6 quarantine on the residential property as part of its duty to
7 assist the department under s. 381.0012(5). Enforcement does
8 not require the 24-hour posting of law enforcement personnel.
9 The residential property shall remain quarantined until the
10 department receives a certificate of fitness documenting that
11 the property was decontaminated as defined by the department
12 pursuant to s. 893.123 or demolished in accordance with s.
13 893.122(1), or a court order is presented requiring the
14 quarantine to be lifted.

15 (3) The department shall adopt rules pursuant to ss.
16 120.536(1) and 120.54 to establish a uniform notice to post at
17 the site of a quarantined clandestine laboratory and a uniform
18 letter of notification of the quarantine to be sent to the
19 residential property owner or manager. It is the
20 responsibility of local law enforcement to post the notice of
21 a quarantine on the residential property, and it is the
22 responsibility of the department to mail the letter of
23 notification. The material in the letter and notice shall
24 include, but not be limited to:

25 (a) That the residential property has been quarantined
26 and a clandestine laboratory was seized on or inside the
27 residential property.

28 (b) The date of the quarantine.

29 (c) The name and contact telephone number of the law
30 enforcement entity posting the quarantine.

31 (d) A statement specifying that hazardous substances,

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toxic chemicals, or other hazardous waste products may have been present and may remain on or inside the residential property and that exposure to the substances may be harmful and may pose a threat to public health and the environment.

(e) A statement that it is unlawful for an unauthorized person to enter the contaminated residential property and that the removal of any notice of the quarantine is a second degree misdemeanor under s. 381.0025(1).

(f) A statement, in the notification letter, explaining how to have the quarantine lifted.

(4) Upon securing evidence from a residential property in which illegal clandestine laboratory activities occurred, the local law enforcement entity shall immediately notify the local health officer and the department's Division of Environmental Health that a residential property is quarantined and shall provide the name and contact information of the law enforcement entity, the name of the residential property owner or residential property manager, and the address of the property.

(5) To the extent possible, the department shall mail the letter of notification to the residential property owner or the manager of the residential property within 5 working days from the date of quarantine notifying the owner or manager that a clandestine laboratory was found on the property and that the property has been quarantined. The department shall also include a list of contamination assessment specialists and decontamination specialists and any other information deemed appropriate by the department to the residential property owner or manager.

(6) Any person who has an interest in a residential property that is quarantined pursuant to this section may file

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1 a petition in the circuit court in which the residential
2 property is located to request a court order that the
3 quarantine of the residential property be lifted for one of
4 the following reasons:

5 (a) The residential property was wrongfully
6 quarantined; or

7 (b) The residential property has been properly
8 decontaminated as defined by the department pursuant to s.
9 893.123 or demolished pursuant to s. 893.122(1) and may be
10 reoccupied for habitation, but the department refuses or fails
11 to lift the quarantine.

12 (7) No person shall inhabit a quarantined residential
13 property, offer the residential property to the public for
14 temporary or indefinite habitation, or remove any notice of
15 the quarantine. Any person who willfully violates a provision
16 of this subsection commits a second degree misdemeanor under
17 s. 381.0025(1).

18 Section 3. Section 893.122, Florida Statutes, is
19 created to read:

20 893.122 Option of demolition; immunity from liability
21 from health-based civil actions.--

22 (1) A residential property owner shall, upon
23 notification from a law enforcement entity that clandestine
24 laboratory activities have occurred in a property owned by
25 that owner and that the property is quarantined, meet the
26 decontamination standards as defined by the department
27 pursuant to s. 893.123 unless the property owner, at the
28 owner's discretion, elects to demolish the contaminated
29 residential property. The demolition and removal of materials
30 must meet the requirements of the Occupational Safety and
31 Health Administration and the United States Environmental

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1 Protection Agency regulations pertaining to the generation,
2 storage, transport, and disposal of hazardous wastes and any
3 state or local requirements.

4 (2) A residential property owner who has met the
5 decontamination standards, as evidenced by a certificate of
6 fitness and a letter of reoccupancy pursuant to s.893.123, or
7 has demolished the residential property in compliance with
8 subsection (1), shall have immunity from health-based civil
9 actions brought by any future owner, renter, or other person
10 who occupies such residential property, or a neighbor of such
11 residential property, in which the alleged cause of the injury
12 or loss is the existence of the clandestine laboratory.

13 However, a person with a conviction, as defined in s. 944.607,
14 for the manufacture of any substance regulated under this
15 chapter on the residential property where clandestine
16 laboratory activities occurred shall not have the immunity
17 provided in this subsection.

18 Section 4. Section 893.123, Florida Statutes, is
19 created to read:

20 893.123 Clandestine laboratory decontamination
21 standards, certificate of fitness, and letter of
22 reoccupancy.--

23 (1) The department shall adopt rules pursuant to ss.
24 120.536(1) and 120.54 that establish:

25 (a) Standards for indoor air quality regarding levels
26 of contaminants produced by clandestine laboratory activities
27 to include methamphetamine, lead, mercury, and volatile
28 organic compounds. These standards must be consistent with
29 values commonly used by other states or comply with national
30 standards.

31 (b) Standards for the cleanup and testing of

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clandestine laboratories.

(c) A certificate of fitness that shall act as appropriate documentation that a residential property has been decontaminated in accordance with specified standards. The certificate of fitness shall be submitted to the department by a contamination assessment specialist. The certificate of fitness shall include, but is not limited to:

1. The name of the residential property owner, the mailing and street address of the residential property owner, and, if applicable, the parcel identification of the residential property.

2. The dates the residential property was quarantined and cleanup was completed.

3. A summary of the indoor air quality test results, findings, and conclusions as determined by a contamination assessment specialist.

4. The name and address of the contamination assessment specialist.

5. The name and address of the decontamination specialist.

6. The method of repair, replacement, or decontamination of the residential property.

(d) A letter of reoccupancy that will notify the residential property owner that the property may be reoccupied for habitation.

(2) Upon receipt of the certificate of fitness, the department shall send a letter of reoccupancy to the residential property owner or manager and to the local law enforcement entity that enforced the quarantine and posted the notice. The letter of reoccupancy must include the address of the residential property, a statement that the quarantine is

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lifted, and a statement that the residential property may be reoccupied for habitation.

(3) In the case of demolition, the department shall lift the quarantine on a residential property upon receipt of a letter presented by a demolition company stating that the quarantined property was demolished. The letter must include the address of the residential property and a statement that the demolition was performed in accordance to the requirements in s. 893.122(1).

Section 5. Section 893.124, Florida Statutes, is created to read:

893.124 Decontamination and contamination assessment specialists.--

(1)(a) The department shall compile and maintain lists of decontamination and contamination assessment specialists. The lists shall be posted on the department's Internet website. The department shall indicate on the website whether the specialists are bonded and insured.

(b) Persons authorized to perform decontamination or contamination assessments must have knowledge and skill in the handling of toxic substances. The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 specifying the requirements for persons authorized to perform decontamination and contamination assessments. Decontamination specialists shall be responsible for ensuring that all hazardous substances, toxic chemicals, or other hazardous waste products that may have been present are removed from the residential property and disposed of in accordance with federal, state, and local laws and regulations.

(2) In determining the level of contamination in a clandestine laboratory, the decontamination or contamination

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1 assessment specialist may request copies of any available law
2 enforcement reports or information relating to the following:

3 (a) The length of time the residential property was
4 used as a clandestine laboratory.

5 (b) The extent to which the residential property was
6 exposed to chemicals used in clandestine laboratory
7 activities.

8 (c) The chemical processes that were involved in the
9 clandestine laboratory activities.

10 (d) The chemicals that were removed from the
11 residential property.

12 (e) The location of the clandestine laboratory
13 activities in relation to the habitable areas of the
14 residential property.

15 (3) If the contamination assessment specialist
16 determines that the residential property is not contaminated,
17 the contamination assessment specialist shall prepare a
18 certificate of fitness and submit the certificate to the
19 department.

20 Section 6. Paragraph (s) of subsection (1) of section
21 465.016, Florida Statutes, is amended to read:

22 465.016 Disciplinary actions.--

23 (1) The following acts constitute grounds for denial
24 of a license or disciplinary action, as specified in s.

25 456.072(2):

26 (s) Dispensing any medicinal drug based upon a
27 communication that purports to be a prescription as defined by
28 s. 465.003(14) or s. 893.02(20) when the pharmacist knows or
29 has reason to believe that the purported prescription is not
30 based upon a valid practitioner-patient relationship.

31 Section 7. Paragraph (e) of subsection (1) of section

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1 465.023, Florida Statutes, is amended to read:

2 465.023 Pharmacy permittee; disciplinary action.--

3 (1) The department or the board may revoke or suspend
4 the permit of any pharmacy permittee, and may fine, place on
5 probation, or otherwise discipline any pharmacy permittee who
6 has:

7 (e) Dispensed any medicinal drug based upon a
8 communication that purports to be a prescription as defined by
9 s. 465.003(14) or s. 893.02~~(20)~~ when the pharmacist knows or
10 has reason to believe that the purported prescription is not
11 based upon a valid practitioner-patient relationship that
12 includes a documented patient evaluation, including history
13 and a physical examination adequate to establish the diagnosis
14 for which any drug is prescribed and any other requirement
15 established by board rule under chapter 458, chapter 459,
16 chapter 461, chapter 463, chapter 464, or chapter 466.

17 Section 8. Paragraph (c) of subsection (1) of section
18 856.015, Florida Statutes, is amended to read:

19 856.015 Open house parties.--

20 (1) Definitions.--As used in this section:

21 (c) "Drug" means a controlled substance, as that term
22 is defined in ss. 893.02~~(4)~~ and 893.03.

23 Section 9. Subsection (6) of section 893.135, Florida
24 Statutes, is amended to read:

25 893.135 Trafficking; mandatory sentences; suspension
26 or reduction of sentences; conspiracy to engage in
27 trafficking.--

28 (6) A mixture, as defined in s. 893.02~~(14)~~, containing
29 any controlled substance described in this section includes,
30 but is not limited to, a solution or a dosage unit, including
31 but not limited to, a pill or tablet, containing a controlled

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1 substance. For the purpose of clarifying legislative intent
2 regarding the weighing of a mixture containing a controlled
3 substance described in this section, the weight of the
4 controlled substance is the total weight of the mixture,
5 including the controlled substance and any other substance in
6 the mixture. If there is more than one mixture containing the
7 same controlled substance, the weight of the controlled
8 substance is calculated by aggregating the total weight of
9 each mixture.

10 Section 10. Paragraph (a) of subsection (1) of section
11 944.47, Florida Statutes, is amended to read:

12 944.47 Introduction, removal, or possession of certain
13 articles unlawful; penalty.--

14 (1)(a) Except through regular channels as authorized
15 by the officer in charge of the correctional institution, it
16 is unlawful to introduce into or upon the grounds of any state
17 correctional institution, or to take or attempt to take or
18 send or attempt to send therefrom, any of the following
19 articles which are hereby declared to be contraband for the
20 purposes of this section, to wit:

21 1. Any written or recorded communication or any
22 currency or coin given or transmitted, or intended to be given
23 or transmitted, to any inmate of any state correctional
24 institution.

25 2. Any article of food or clothing given or
26 transmitted, or intended to be given or transmitted, to any
27 inmate of any state correctional institution.

28 3. Any intoxicating beverage or beverage which causes
29 or may cause an intoxicating effect.

30 4. Any controlled substance as defined in s. 893.02~~(4)~~
31 or any prescription or nonprescription drug having a hypnotic,

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stimulating, or depressing effect.

5. Any firearm or weapon of any kind or any explosive substance.

Section 11. Subsection (1) of section 951.22, Florida Statutes, is amended to read:

951.22 County detention facilities; contraband articles.--

(1) It is unlawful, except through regular channels as duly authorized by the sheriff or officer in charge, to introduce into or possess upon the grounds of any county detention facility as defined in s. 951.23 or to give to or receive from any inmate of any such facility wherever said inmate is located at the time or to take or to attempt to take or send therefrom any of the following articles which are hereby declared to be contraband for the purposes of this act, to wit: Any written or recorded communication; any currency or coin; any article of food or clothing; any tobacco products as defined in s. 210.25(11); any cigarette as defined in s. 210.01(1); any cigar; any intoxicating beverage or beverage which causes or may cause an intoxicating effect; any narcotic, hypnotic, or excitative drug or drug of any kind or nature, including nasal inhalators, sleeping pills, barbiturates, and controlled substances as defined in s. 893.02(4); any firearm or any instrumentality customarily used or which is intended to be used as a dangerous weapon; and any instrumentality of any nature that may be or is intended to be used as an aid in effecting or attempting to effect an escape from a county facility.

Section 12. Paragraph (a) of subsection (1) of section 985.4046, Florida Statutes, is amended to read:

985.4046 Introduction, removal, or possession of

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1 certain articles unlawful; penalty.--

2 (1)(a) Except as authorized through program policy or
3 operating procedure or as authorized by the facility
4 superintendent, program director, or manager, a person may not
5 introduce into or upon the grounds of a juvenile detention
6 facility or commitment program, or take or send, or attempt to
7 take or send, from a juvenile detention facility or commitment
8 program, any of the following articles, which are declared to
9 be contraband under this section:

10 1. Any unauthorized article of food or clothing.

11 2. Any intoxicating beverage or any beverage that
12 causes or may cause an intoxicating effect.

13 3. Any controlled substance, as defined in s.
14 893.02(4), or any prescription or nonprescription drug that
15 has a hypnotic, stimulating, or depressing effect.

16 4. Any firearm or weapon of any kind or any explosive
17 substance.

18 Section 13. This act shall take effect July 1, 2006.

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